ISSUE 115 June 2024 Update Memo

Please distribute to board members and appropriate staff.

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Online Instructions

Please follow these four easy steps to log in to **PRESS**:

- Go to<u>www.iasb.com</u> and click on the wember Login button on the top navigation.
- 1. Enter your email address and password.
 - If you do not know your password, do not create a new account; reset your password using your district email address. Use the "forgot your password?" link. Make sure to check your spam folder for an email from info@iasb.com, if you do not see it in your email inbox.
 - If you are still having difficulty logging in, please contact your District's Superintendent or Administrative Assistant to make sure you are listed as an authorized user on the District Roster.
 - If you continue to have difficulty signing on to <u>www.iasb.com</u>, please contact Michael Ifkovits at <u>mifkovits@iasb.com</u>.
 - 3. Click the Reference button on the top navigator bar. This will bring you to your account page
 - 4. Under "My Account Links," click on "PRESS Login."



PRESS

Policy Reference Education Subscription Service

This publication is designed to provide information only and is not a substitute for legal advice from the Board Attorney. If you have any questions, please contact Issue 115 Lead Debra Jacobson, Assistant General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1211, Jeremy Duffy, IASB General Counsel and **PRESS** Editor, 630/629-3776, ext. 1226; Maryam Brotine, Assistant General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1219.

Please share this **PRESS** Update Memo with all board members and appropriate staff.

Two other important components of **PRESS** may be viewed and downloaded from **PRESS Online**: Committee Worksheets and the updated **Policy Reference Manual (PRM)** pages. For answers to common questions about using **PRESS**, see <u>Q&A: Getting the</u> <u>Most Out of Your</u> <u>PRESS Subscription</u>, now available on IASB's website.

The Committee Worksheets, found by selecting a *PRESS Issue* at the top of the **PRESS Online** Table of Contents, show suggested changes to **PRESS** materi-

al by striking out deleted words and underscoring new words, a.k.a "tracked changes."

Updated **PRM** pages can be found in the IASB POLICY REFERENCE MANUAL Table of Contents. For visual instruction about how to download and use **PRM** pages to update your policy manual, please go to <u>www.iasb.com/policy/</u> to view the **PRESS** video tutorial located under the header entitled: **PRESS – P**olicy **R**eference Education Subscription Service.

PRESS Bundles

Each bundle summarizes the global reasons for changes to all materials that are listed.

Specific details about how each piece of material changed, e.g., legislation, administrative rules, **PRESS** Advisory Board feedback, quality assurance, five-year review items, etc., are explained in numerical order in the **Revisions to Policies**, **Administrative Procedures**, and **Exhibits** table beginning on p. 5.

Please spend time reviewing the **PRESS** online Committee Worksheets for these materials, which will provide further, more on-the-spot detailed explanations in the footnotes, along with added comment boxes by the **PRESS** Editors when necessary.

Have feedback on **PRESS** materials? Click on the **PRESS** Feedback Button, located on the header bar of **PRESS** Online. For answers to more immediate questions about **PRESS** content, please contact a **PRESS** editor directly.

Lighting the Way to Excellence in School Governance

Library Media Resources

The Illinois Secretary of State recently adopted rules to implement 75 ILCS 10/8.7, added by P.A. 103-100, which requires boards that want to be eligible for State school library grant funding to either adopt the American Library Association's (ALA) Library Bill of Rights or to develop an alternative written statement prohibiting the practice of banning library materials. Sample PRESS policy 6:230, Library Media Program, was updated in PRESS Issue 113 to outline these options for boards. With the final regulations now in place, boards that adopted the alternative written statement in policy 6:230, Library Media Program, will need to submit a copy of their policy, along with a copy of the updated administrative procedure, 6:230-AP, Responding to Complaints About Library Media Resources, when applying for the School Library Grant. Districts need to ensure that their administrative procedure aligns with the option their board selected in the policy. Boards that previously adopted the ALA Bill of Rights language in their policy will not have to submit any such documentation; they will simply need to certify to the Ill. State Library that they have adopted the ALA standards in policy.

The following **PRESS** materials are updated:

6:230, Library Media Program6:230-AP, Responding to Complaints About Library Media Resources

Criminal History Record Information Security

The III. State Police (ISP) has started to audit school districts' handling of criminal history record information (CHRI). The U.S. Federal Bureau of Investigation (FBI) requires all entities that receive CHRI from the FBI, including school districts, to implement security procedures that comply with its Criminal Justice Information Security (CJIS) Policy. New administrative procedure 5:30-AP4, *Fingerprint-Based Criminal History Record Information Security*, is created to assist districts with protecting CHRI in accordance with the CJIS Policy. The ISP is also available to provide districts with technical assistance in this area.

The following PRESS material is updated or created:

- 2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules
- 5:30-AP4, Fingerprint-Based Criminal History Record Information Security – **NEW**

PRESS Terminology

What are the meanings of the "AP" and "E" after certain policy numbers?

The **PRESS P**olicy **R**eference **M**anual (**PRM**) is an encyclopedia of sample board policies, administrative procedures, and exhibits. They are all in numerical order for easy reference. **PRESS** recommends that local school districts maintain separate board policy and administrative procedure manuals to help distinguish for the board, staff, students, parents, and community members, the distinction between board documents and staff documents, board work, and staff work.

Policy. The board develops policies with input from various sources like district administrators, the board attorney, and **PRESS** materials. The board then formally adopts the policies, often after more than one consideration.

After adoption by the board, each policy should have an adoption date.

Administrative Procedures. Administrative procedures are developed by the superintendent, administrators, and/or other district staff members. The staff develops the procedures that guide implementation of the policies. Administrative procedures are not adopted by the board, which allows the superintendent and staff the flexibility they need to keep the procedures current. **PRESS** sample procedures are numbered to correspond with the policies that they implement for easy reference. For example, policy 6:190's related administrative procedure is 6:190-AP.

Administrative procedures should be dated for implementation by the administrative staff and kept separately from the board policy manual.

Exhibits. Both board policies and administrative procedures may have related exhibits. Exhibits provide information and forms intended to be helpful to the understanding or implementation of either a board policy or administrative procedure, and they do not require formal board adoption. **PRESS** sample exhibits are numbered to correspond to the related board policy or administrative procedure. For example, Board Policy 2:70 has a related exhibit numbered 2:70-E. Administrative procedure 7:340-AP1 has a related exhibit numbered 7:340-AP1, E.

Exhibits labeled with an "E" may provide guidance for board work or staff work. Those providing guidance for board work should be dated for implementation by the board. Those providing guidance for the staff should be dated for implementation by the administrative staff.

Administrative procedures exhibits, always labeled with the "AP, E" format should be dated for implementation by the administrative staff.

Miscellaneous

The following **PRESS** materials are updated due to legislation, administrative rule and/or continuous improvement changes, including subscriber feedback. These are also detailed in the **Revisions to Policies**, Administrative Procedures, and Exhibits table in numerical order beginning on p. 5.

The following PRESS materials are updated:

4:80, Accounting and Audits 4:140, Waiver of Student Fees 4:140-AP, Fines, Fees, and Charges – Waiver of Student Fees

PRM Five-Year Reviews

PRESS Editors have a quality assurance goal to ensure that a review of each piece of the 1500+ page IASB **PRESS PRM** occurs once every five years. The **PRM** contains approximately 474 separate pieces of material, including policies, administrative procedures, and related exhibits. These are also detailed in the **Revisions to Policies**, Administrative Procedures, and **Exhibits** table in numerical order beginning on p. 5.

The following **PRESS** materials are updated in response to five-year reviews:

2:70, Vacancies on the School Board – Filling Vacancies 2:70-E, Checklist for Filling Board Vacancies by Appointment 2:125, Board Member Compensation; Expenses 2:125-E1, Board Member Expense Reimbursement Form 2:125-E2, Board Member Estimated Expense Approval Form 2:160, Board Attorney 2:160-E, Checklist for Selecting a Board Attorney 4:15, Identity Protection 4:15-AP1, Protecting the Privacy of Social Security Numbers 4:15-AP2, Treatment of Personally Identifiable Information Under Grant Awards 4:40, Incurring Debt 4:40-AP, Preparing and Updating Disclosures 4:70, Resource Conservation 4:70-AP, Resource Conservation 4:80-AP3, Inventory Management for Federal and State Awards 5:20-E, Resolution to Prohibit Sexual Harassment 5:35-AP2, Employee Records Required by the Fair Labor Standards Act 5:35-AP3, Compensable Work Time for Non-Exempt Employees Under the FLSA 5:35-AP4, Fair Labor Standards Act 12-Step Compliance Checklist 5:35-E, Volunteer Agreement Executed by a Non-Exempt Employee 5:120-E, Code of Ethics for Illinois Educators 5:130, Responsibilities Concerning Internal Information 5:180, Temporary Illness or Temporary Incapacity 5:250-AP, School Visitation Leave 5:285, Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

- 5:200, Terms and Conditions of Employment and Dismissal
- 6:140, Education of Homeless Children
- 6:140-AP, Education of Homeless Children
- 7:280-AP, Managing Students with Communicable or Infectious Diseases
- 7:280-E2, Reporting and Exclusion Requirements for Common Communicable Diseases

5:310, Compensatory Time-Off

- 5:310-E, Agreement to Receive Compensatory Time-Off
- 6:110, Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program
- 6:120-AP1, E2, Special Education Required Notice and Consent Forms
- 6:120-AP2, Access to Classrooms and Personnel
- 6:120-AP2, E1, Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes
- 6:150, Home and Hospital Instruction
- 6:170-AP2, E1, District Annual Report Card Required by Every Student Succeeds Act
- 6:280-AP, Evaluating and Reporting Student Achievement
- 6:300-E1, Application for a Diploma for a Service member Killed in Action or for Veterans of WWII, the Korean Conflict, or Vietnam Conflict
- 7:40-AP, Placement of Nonpublic School Students Transferring Into the District
- 7:170, Vandalism
- 7:240-AP2, Extracurricular Drug and Alcohol Testing Program
- 7:250-AP1, Measures to Control the Spread of Head Lice at School
- 7:270-E2, School Medication Authorization Form Medical Cannabis
- 8:25-AP, Advertising and Distributing Materials in School Provided by Non-School Related Entities
- 8:95-E1, Letter Notifying Parents/Guardians of School Visitation Rights

Please also spend time reviewing the **PRESS** Online Committee Worksheets for these materials, which will provide further, more on-the-spot detailed explanations in the footnotes, along with added comment boxes by the **PRESS** Editors when necessary.

Progress Report - The contents of this table frequently change.

Topics	Our Response
Final Title IX Regulations Effective 8-1-2024 On 4-19-24, the U.S. Dept. of Education released final Title IX regulations, effective 8-1-24. PRESS Issue 116 (August 2024) will address the new Title IX regulations. Updated sample policies, administrative procedures, and exhibits should be available for PRESS subscribers on 8-1-24. Customized policy draft updates should be available for PRESS Plus subscribers on or around 8-9-24. Please note that the affected board policies were included in PRESS and PRESS Plus Issue 114 (March 2024); however, the Issue 114 updates are unrelated to new Title IX regulation changes. Boards may prepare for upcoming PRESS Issue 116 by adopting the Issue 114 updates as soon as possible.	Affected PRESS materials, including the 2:265 suite, will be updated in PRESS Issue 116 (August)
Pregnancy Workers Fairness Act Regulations Issued On 4-19-24, the U.S. Equal Employment Opportunity Commission released final regula- tions to implement the Pregnant Workers Fairness Act (PWFA). The final rule is scheduled to take effect on 6-18-24, but it is being challenged in court by attorneys general in at least 17 states. Among the more controversial provisions of the rule, abortion is included as a "related medical condition" to pregnancy and childbirth. Further, under the new rule, a pregnant employee may still qualify for the protections of the PWFA even if the employee cannot perform an essential job function for a temporary period (i.e., 40 weeks of pregnancy).	If the new rule goes into effect, affected PRESS materials, including 5:10, <i>Equal Employment and Minori-</i> <i>ty Recruitment</i> , will be updated in a future PRESS issue.
New FLSA Overtime Regulations Released On 4-23-24, the U.S. Dept. of Labor issued a final rule that raises the minimum salary threshold for exempt workers in two stages. Beginning 7-1-24, the minimum salary to qualify for exempt status will be increased from \$684 per week (\$35,568 per year) to \$844 per week (\$43,888 per year). Then, beginning 1-1-25, the threshold will increase again to \$1,128 per week (\$58,656). The threshold for the exemption for highly compen- sated employees will also increase. Starting 7-1-27, the rule provides for automatic in- creases every three years based on current earnings data. Teachers continue to be exempt from overtime under the updated rules. Legal challenges to the new rule are anticipated.	If the new rule goes into effect, 5:35, <i>Compliance with the Fair</i> <i>Labor Standards Act</i> , and 5:35-AP1, <i>Fair Labor Standards Act Exemp-</i> <i>tions</i> , will be updated in the fall PRESS issue.
Website and Mobile Application Rule Is Released On 4-24-24, the U.S. Dept. of Justice issued regulations under Title II of the Americans with Disabilities Act that will require State and local governments, including school districts, to implement the Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA for their web content and mobile apps. Districts will have to make sure their web content and mobile apps meet this technical standard by either 4-24-26, or 4-26-27, depending on the size of their local populations. There are limited and detailed exemp- tions to the rule, such as archived web content and preexisting conventional electronic documents (such as PDFs). For more information about this rule, see www.ada.gov/notic- es/2024/03/08/web-rule.	Affected PRESS materials, including 2:260, Uniform Grievance Proce- dure, and 8:70, Accommodating Individuals with Disabilities, will be updated in a future PRESS issue.

PRESS Issue 115 Trivia

159 pages • 59,113 words • 54 materials

Certain **PRM** materials in a **PRESS** Issue may be labeled in the **PRESS** Bundles, Revision Table and Committee Worksheets with one or more of the following categories:

NEW. This material is brand new to the PRM.

RENUMBERED. This material has been assigned a new number within the **PRM**, usually due to the addition of **NEW** material.

RENAMED. The title of the material has been amended.

REWRITTEN. The material has undergone significant revisions. To preserve the readability of the Committee Worksheets, suggested changes are not shown as tracked changes.

REFORMATTED. Non-substantive changes in formatting, e.g., list renumbering, have been applied for consistency throughout the **PRM**. To preserve the readability of the Committee Worksheets, such formatting changes are not reflected as tracked changes.

Revisions to Policies, Administrative Procedures, and Exhibits

Number and Title	Revision Descriptions	
2:70, Vacancies on the School Board – Filling Vacancies	The policy is unchanged. The footnotes are updated in response to a five-year review.	
2:70-E, Checklist for Filling Board Vacancies by Appointment	The exhibit is updated in response to a five-year review.	
2:125, Board Member Compensa- tion; Expenses	The policy is unchanged. The footnotes are updated in response to a five-year review.	
2:125-E1, Board Member Expense Reimbursement Form	The exhibit is updated in response to a five-year review.	
2:125-E2, Board Member Estimat- ed Expense Approval Form	The exhibit is updated in response to a five-year review.	
2:160, Board Attorney	The policy and footnotes are updated in response to a five-year review.	
2:160-E, Checklist for Selecting a Board Attorney	The exhibit is updated in response to a five-year review.	
2:250-AP2, Protocols for Record Preservation and Development of Retention Schedules	The exhibit is updated in response to Federal Bureau of Investigation's Crim- inal Justice Information Services (CJIS) Security Policy, which requires school districts to have written procedures in place to protect criminal history record information, and for continuous improvement.	
4:15, Identity Protection	The Legal References, Cross References, and footnotes are updated in response to a five-year review. The Legal References are updated with a minor style change. Policy 7:345, <i>Use of Educational Technologies; Student Data Privacy</i> , is added to the Cross References.	
4:15-AP1, Protecting the Privacy of Social Security Numbers	The procedure is updated in response to a five-year review.	
4:15-AP2, Treatment of Personally Identifiable Information Under Grant Awards	The procedure is updated in response to a five-year review.	

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

Number and Title	Revision Descriptions	
4:40, Incurring Debt	The Legal References and footnotes are updated in response to a five-year review. The Legal References are updated with minor style changes.	
4:40-AP, Preparing and Updating Disclosures	REFORMATTED. The procedure is updated in response to a five-year review.	
4:70, Resource Conservation	The policy and footnotes are updated in response to a five-year review.	
4:70-AP, Resource Conservation	The procedure is updated in response to a five-year review.	
4:80, Accounting and Audits	The policy, Legal References, and footnotes are updated. The policy is updated in response to PRESS Advisory Board member feedback to raise the maximum balance for revolving fund bank accounts. The Legal References are updated with a minor style change. The footnotes are updated in response to 44 III.Admin.Code §7000.90(c)(3), added by 47 III.Reg. 7893, requiring districts that receive federal and State grant awards to have an annual audit of their financial statements conducted in accordance with ISBE accounting rules, and for continuous improvement.	
4:80-AP3, Inventory Management for Federal and State Awards	The procedure is updated in response to a five-year review.	
4:140, Waiver of Student Fees	The policy is unchanged. The footnotes are updated in response to 23 Ill.Ad- min.Code §1.245, amended at 47 Ill. Reg. 18457, addressing school fines, and for continuous improvement.	
4:140-AP, Fines, Fees, and Charges – Waiver of Student Fees	The exhibit is updated for the reasons stated in 4:140, <i>Waiver of Student Fees</i> , above.	
5:20-E, Resolution to Prohibit Sexual Harassment	The exhibit is updated in response to a five-year review.	
5:30-AP4, Fingerprint-Based Criminal History Record Informa- tion Security	NEW . The procedure is created in response to the Federal Bureau of Inves- tigation's Criminal Justice Information Services (CJIS) Security Policy, which requires school districts to have written procedures in place to protect criminal history record information.	
5:35-AP2, Employee Records Required by the Fair Labor Stan- dards Act	The procedure is unchanged in response to a five-year review.	
5:35-AP3, Compensable Work Time for Non-Exempt Employees Under the FLSA	The procedure is updated in response to a five-year review.	
5:35-AP4, Fair Labor Standards Act 12-Step Compliance Checklist	The procedure is updated in response to a five-year review.	
5:35-E, Volunteer Agreement Exe- cuted by a Non-Exempt Employee	The exhibit unchanged in response to a five-year review.	
5:120-E, Code of Ethics for Illinois Educators	The exhibit is unchanged in response to a five-year review.	

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

Number and Title	Revision Descriptions	
5:130, Responsibilities Concerning Internal Information	The Legal References, Cross References, and footnotes are updated in response to a five-year review. A Cross Reference to policy 7:345, Use of Educational Technologies; Student Data Privacy and Security, is added.	
5:180, Temporary Illness or Tem- porary Incapacity	The policy is unchanged. The footnotes are updated in response to a five-year review.	
5:200, Terms and Conditions of Employment and Dismissal	The Legal References and footnotes are updated in response to 105 ILCS 5/22-96, addressing short-term approvals for educators. The footnotes are also updated for continuous improvement.	
5:250-AP, School Visitation Leave	The procedure is updated in response to a five-year review.	
5:285, Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers	The Legal References and footnotes are updated in response to a five-year review. The Legal References are updated with a minor style change.	
5:310, Compensatory Time-Off	The Legal References and footnotes are updated in response to a five-year review. The Legal References are updated with a minor style change.	
5:310-E, Agreement to Receive Compensatory Time-Off	The exhibit is unchanged in response to a five-year review.	
6:110, Programs for Students At Risk of Academic Failure and/ or Dropping Out of School and Graduation Incentives Program	The policy is unchanged. The footnotes are updated in response to a five-year review.	
6:120-AP1, E2, Special Education Required Notice and Consent Forms	The exhibit is unchanged in response to a five-year review.	
6:120-AP2, Access to Classrooms and Personnel	The procedure is updated in response to a five-year review.	
6:120-AP2, E1, Request to Access Classroom(s) or Personnel for Special Education Evaluation and/ or Observation Purposes	The exhibit is updated in response to a five-year review.	
6:140, Education of Homeless Children	The Legal References, Cross References, and footnotes are updated. The Legal References and footnotes are updated in response to 23 Ill.Admin.Code §1.241, <i>Dispute Resolution for Students Experiencing Homelessness</i> , added at 47 Ill. Reg. 2411. The footnotes are updated for continuous improvement. Policy 4:140, <i>Waiver of Student Fees</i> , is added to the Cross References.	
6:140-AP, Education of Homeless Children	The procedure is updated in response to 23 III.Admin.Code §1.241, <i>Dispute Resolution for Students Experiencing Homelessness</i> , added at 47 III.Reg. 241, and for continuous improvement.	
6:150, Home and Hospital Instruction	The policy and footnotes are updated in response to a five-year review.	

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

Number and Title	Revision Descriptions	
6:170-AP2, E1, District Annual Report Card Required by Every Student Succeeds Act (ESSA)	The exhibit is updated in response to a five-year review.	
6:230, Library Media Program	The policy is unchanged. The footnotes are updated in response to 23 III. Admin.Code §§3035.120 and 3035.140, amended by 48 III.Reg. 948, requiring a district to establish written procedures if it adopts an alternative written state- ment to prohibit the banning of books or resources.	
6:230-AP, Responding to Complaints About Library Media Resource	The procedure is updated for the reason stated in 6:230, <i>Library Media Program,</i> above.	
6:280-AP, Evaluating and Report- ing Student Achievement	The procedure is updated in response to a five-year review.	
6:300-E1, Application for a Diploma for a Service member Killed in Action or for Veterans of WWII, the Korean Conflict, or the Vietnam Conflict	The exhibit is unchanged in response to a five-year review.	
7:40-AP, Placement of Nonpublic School Students Transferring Into the District	The procedure is unchanged in response to a five-year review.	
7:170, Vandalism	The Legal References are updated with a minor style change in response to a five-year review.	
7:240-AP2, Extracurricular Drug and Alcohol Testing Program	The procedure is updated in response to a five-year review.	
7:250-AP1, Measures to Control the Spread of Head Lice at School	The procedure is unchanged in response to a five-year review.	
7:270-E2, School Medication Autho- rization Form – Medical Cannabis	The exhibit is updated in response to a five-year review.	
7:280-AP, Managing Students with Communicable or Infectious Diseases	The procedure is updated in response to 77 Ill.Admin.Code Part 690, amend- ed by 47 Ill. Reg. 18112 and 48 Ill. Reg. 4098, revising rules regarding various communicable diseases.	
7:280-E2, Reporting and Exclu- sion Requirements for Common Communicable Diseases	The exhibit is updated for the reson stated in 7:280-AP, <i>Managing Students with Communicable or Infectious Diseases,</i> above.	
8:25-AP, Advertising and Distribut- ing Materials in Schools Provided by Non-School Related Entities	The procedure is updated in response to a five-year review.	
8:95-E1, Letter Notifying Parents/ Guardians of School Visitation Rights	The exhibit is updated in response to a five-year review.	



The IASB Office of General Counsel's mission is to honestly, professionally, and credibly protect and preserve IASB through legal risk management and compliance services for the IASB Board of Directors and staff; promote best practices to IASB members; create educational products and services; and maintain strong, collaborative relationships with the public education community.

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Acknowledgement to PRESS Advisory Board

The Policy Reference Education Subscription Service (PRESS) Advisory Board consists of a group of distinguished individuals, from the legal and education field. These individuals dedicate and volunteer their time to provide valuable input and suggestions on PRESS Issues. We appreciate their contributions and thank them sincerely.

– Jeremy Duffy, Maryam Brotine, Debra Jacobson

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Lighting the Way to Excellence in School Governance

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